

REMARKS

The Restriction dated 30 April 2009 (hereafter "Restriction") requires an election for examination between two sets of claims:

- the first set of claims is designated claims 1-14;
- the second set of claims is designated claim 15 and 16;

Applicants respectfully traverse this restriction for at least the reasons set forth below.

The two sets of claims are linked to form a single general inventive concept. Examiner's attention is drawn to 37 CFR 1.499:

"If the examiner finds that a national stage application lacks unity of invention under § 1.475, the examiner may in an Office action require the applicant in the response to that action to elect the invention to which the claims shall be restricted".

and 37 CFR 1.475(b):

"An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:

- (1) A product and a process specially adapted for the manufacture of said product; (...)"

Claim 1 on file is directed to a method of producing an electrical circuit element . Claim 15 on file is directed to an electrical circuit element produced by a method as claimed in claim 1. Thus, claim 1 produces the electrical circuit element of claim 15, and is therefore a process specially adapted for the manufacture of the product of claim 15, see MPEP 1893.03(d). Claims 1 and 15 therefore have unity of invention. Because there is a unity of invention, a restriction between these claims is therefore improper.

The Restriction states that Groups I and II do not relate to a single general inventive concept because they lack the same or corresponding special technical

features for the following reasons: The electrical circuit of claim 15 was known in the prior art. However, because there is unity of invention as set forth above, both sets of claims should be examined together. Accordingly, an office action should issue with rejections for both sets of claims and Applicants will address the rejections of claim 15 at that time.

Applicants provisionally elect, with traversal, the first set of claims, claims 1-14 for examination.

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079, Freescale Semiconductor, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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